

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

DOUGLAS I. HORNSBY, Administrator )  
of the Estate of CYNTHIA GARY, )  
Plaintiff, )  
v. ) Case No. 2:22-cv-427  
UNITED STATES of AMERICA, )  
Defendant/Third-Party Plaintiff, )  
v. )  
METRO MACHINE CORP., d/b/a )  
GENERAL DYNAMICS NASSCO-NORFOLK, et al. )  
Third-Party Defendants. )

**DEFENDANT METRO MACHINE CORP.'S  
MOTION TO DISMISS THIRD-PARTY COMPLAINT AND RULE 14(c) TENDER**

Defendant Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk (“NASSCO-Norfolk”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves this Court to dismiss the Third-Party Complaint and Rule 14(c) Tender. The grounds for this Motion are set forth in a Memorandum in Support concurrently filed with this Motion.

Respectfully submitted,

METRO MACHINE CORP.,  
D/B/A GENERAL DYNAMICS NASSCO-  
NORFOLK

By: /s/ Lynn K. Brugh, IV  
Lynn K. Brugh, IV  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of January 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

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